

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	AMENDED CONSENT
- v. -	:	PRELIMINARY ORDER OF
	:	FORFEITURE/
DOMINIQUE GREEN,	:	MONEY JUDGMENT
a/k/a "Domo,"	:	
	:	20 Cr. 563 (JPO)
Defendant.	:	
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WHEREAS, on or about October 22, 2020, DOMINIQUE GREEN (the "Defendant"), was charged in three counts of a four-count Indictment, 20 Cr. 563 (JPO) (the "Indictment"), with conspiracy to steal government funds in violation of Title 18, United States Code, Section 371 (Count One); conspiracy to commit bank fraud in violation of Title 18, United States Code, Section 1349 (Count Two); and aggravated identity theft, in violation of Title 18, United States Code, Sections 1028A(a)(1), 1028A(b), and 2 (Count Four);

WHEREAS, the Indictment included a forfeiture allegation as to Count One of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a) (1) (C) and Title 28 United States Code, Section 2461(c), of any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offense charged in Count One of the Indictment, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense charged in Count One of the Indictment;

WHEREAS, the Indictment included a second forfeiture allegation as to Count Two of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A), of any and all property constituting, or derived from, proceeds the Defendant obtained directly or indirectly, as a result of the commission of the offense charged in Count Two

of the Indictment, including but not limited to a sum of money in the United States currency representing the amount of proceeds traceable to the commission of the offense charged in Count Two of the Indictment;

WHEREAS, on or about August 27, 2022, the Defendant pled guilty to Counts One and Two of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegations with respect to Counts One and Two of the Indictment and agreed to forfeit to the United States a sum of money equal to \$306,494.21, representing proceeds traceable to the commission of the offenses charged in Counts One and Two of the Indictment. Specifically, with respect to Count One of the Indictment, the Defendant admitted the forfeiture allegation and, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28 United States Code, Section 2461(c), agreed to forfeit to the United States a sum of money equal to \$57,690.00 in United States currency, representing proceeds traceable to the commission of the offense charged in Count One of the Indictment. The Defendant also admitted the forfeiture allegation with respect to Count Two of the Indictment and agreed to forfeit to the United States, pursuant to Title 18m United States Code, Section 982(a)(2)(A), a sum of money equal to at least \$248,804.21 in United States currency, representing proceeds traceable to the commission of the offense charged in Count Two of the Indictment;

WHEREAS, the Court previously entered a consent preliminary order of forfeiture with a money judgment in the amount of \$306,494.21 in United States currency (the "Prior Order"), and the Government has subsequently determined that the Prior Order should be amended; and

WHEREAS, the Defendant consents to the entry of an amended money judgment in the amount of \$18,202.15 in United States currency representing the amount of proceeds

traceable to the offenses charged in Counts One and Two of the Indictment that the Defendant personally obtained; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offenses charged in Counts One and Two of the Indictment that the Defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorneys, Emily A. Johnson, Kaylan E. Lasky, and Ashley C. Nicolas, of counsel, and the Defendant, and his counsel, Ken Womble, Esq., that:

1. As a result of the offenses charged in Counts One and Two of the Indictment, to which the Defendant pled guilty, an amended money judgment in the amount of \$18,202.15 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offenses charged in Counts One and Two of the Indictment that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, DOMINIQUE GREEN, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New

York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

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7. The Court shall retain jurisdiction to enforce this Amended Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York


By: /s/
Emily A. Johnson / Kaylan E. Lasky /
Ashley C. Nicolas
Assistant United States Attorneys
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2409/2315/2467

2/10/2022
DATE

DOMINIQUE GREEN

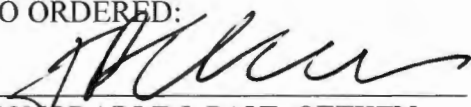
By: 
DOMINIQUE GREEN

2/11/22
DATE

By: 
Ken Womble, Esq.
Attorney for Defendant
Zeman & Womble, LLP
20 Vesey Street, Suite 400
New York, New York 10007

2/11/22
DATE

SO ORDERED:


HONORABLE J. PAUL OETKEN
UNITED STATES DISTRICT JUDGE

2/11/2022
DATE